

19-cv-1902 SRN/HB

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Thomas Evenstad

Plaintiff,

vs

Tim Pawlenty, Rich Stanek,
Joan Fabian, Mike Hatch,
Minnesota Department of Corrections,

State of Minnesota, John
Does 1-10, Jane Does 1-5,
Peter Orput. Defendants.

COMPLAINT

JURY TRIAL
DEMANDED

SCANNED CK	RECEIVED BY MAIL
JUL 18 2019	JUL 18 2019
U.S. DISTRICT COURT ST. PAUL CLERK, U.S. DISTRICT COURT ST. PAUL, MN	

BACKGROUND/INTRODUCTION

On January 30, 2003, when Defendant Pawlenty was Governor of Minnesota, Defendant Stanek was Commissioner of Public Safety, Defendant Fabian was Commissioner of Corrections and Defendant Hatch was Minnesota Attorney General, Plaintiff Thomas Evenstad, (herein "Evenstad") wrote a letter to all four of them proposing Global Position Satellite (GPS) Monitoring/Tracking of Minnesota's (and the Nation's) "High-Risk Sex Offenders" - level 3 sex offenders in Minnesota, like Alfonso Rodriguez, Jr. Evenstad wrote the letter from ^{moose lake} prison.

Upon information, belief and research, Evenstad's innovative idea to use GPS technology to monitor and track level 3 sex offenders was the first such proposal to any State, government, Department. EVENSTAD has numerous copies of this letter ^{w/ friends in the} ^{Community} ^{DOC has it in} ^{Evenstad's 2006 EFC}

of Corrections, Department of Public Safety, State Attorney General's office, or to the Federal Government, President George W. Bush and U.S. Attorney General John Ashcroft. Everstad also sent his 5-page letter-proposal to.

Tragically for the family and friends of Dru Katrina Sjodin, and most tragically of all for 22-year old Dru Sjodin herself, Everstad's GPS proposal, which, had it been implemented by the Defendants and/or U.S. President George Bush and AG Ashcroft, through Congress if necessary & by the Defendants through Minnesota's State legislature and/or Executive Order, ~~██████████~~ would ~~██████████~~ have prevented this preventable tragedy.

* OR
BY 6/11/19
Rodriguez
the option
of voluntary
COPSTrack
Or he could
Committee
to MSOP,
which would
NOT violate
Rodriguez'
Constitutional
rights due
to EXPIRATION
OF HIS CRIMINAL
SENTENCE

Everstad is well aware Rodriguez had "expired" his criminal sentence and therefore was not subject to State Supervision at the time of his release seven months after Everstad's GPS proposal, and a full 10 months prior to his release from State custody - prison.

Everstad's GPS proposal letter sent to the Defendants proposed closing the "Deadly Gap" to MSOP, as Everstad referred to the allowance of dangerous, violent, repeat high risk sex offenders (like Rodriguez) to be released scot-free into society as opposed to being monitored and tracked via GPS technology for the rest of their miserable lives.

Evenstad passionately argued in his letter-proposal that there must be a tipping point where the rights of innocent men, women and children supersede the rights of maggots like Rodriguez, Polly Klass' killer (Richard Alan Davis) Adam Walsh's killer (unsolved as some law enforcement experts attribute this sexually motivated homicide to OTIS TOOLE and other experts to other individuals), Jacob Wetterling's killer, Katie Poiner's killer (Donald Blom) and thousands of other sexually motivated killers, including the 30-50 active serial killers the FBI's best estimates state are on the prowl at any given time in America.

Evenstad sent copies of his letter at the time it was written to Pam Poiner, Mark Klass, John Walsh and Patty Wetterling. Patty Wetterling and Evenstad exchanged several e-mails over the past 15+ years in which Evenstad told Patty in his earliest e-mails he himself was a convicted "sex offender", but that he was in fact the furthest thing possible from a "rapist".

* * * Minnesota's Innocent Man, that Evenstad himself was the victim in his 1998-99 Malicious Prosecution by ^{AND HORRIFIC PUNEMENT} Hennepin County Attorney Mike Freeman (on extended leave of absence due to his being an incompetent drunk and prescription pill abuser) and his minion, Assistant Hennepin County Attorney Stuart Evan Shapiro & Beth Roberts, disgraced

* * * By "Googling" MN's Innocent Man" the article Evenstad wrote, which Laura Hooper used her byline 3 - can be read which led to 46 month prison sentence.

* EVENSTAD
DECLINES
TO NAME
JACOB
WETTERLING'S
KILLER OUT
OF RESPECT
FOR JACOB'S
mom,
Patty
Wetterling.

* * * 46 mo
prison sentence
unconstitutional
imposed by
RAMSAY County
Judge GEORGE
T. STEPHENSON

ex Richfield Police Officer who was given a choice to "retire" or be fired due to her poor attendance and even worse job performance as ex "Agent" Beth Roberts' Personnel File revealed when Everstad obtained it via a Chapter 13 Data Practices Act / Freedom of Information Act (FOIA) request many years ago.

The Minnesota Coalition Against Sexual Assault (MN-CASA) would've been wise to also do their Due Diligence in properly/adequately vetting this Dirty Cop (Subject 1 Pending litigation in Everstad v. Seward (BARRIE))

(Hannah Marie Seward (Barrie) is the shameless State created/manufactured "rape victim" in Everstad's wrongful conviction now under review by UNCLETHEINNOCENT.ORG in which Everstad is entitled to \$750,000 to \$1,500,000 per State Statute once he's finally EXONERATED. See www.makemyflipst.com & Twitter@Makemyflipst)

Sadly yet predictably, Everstad's GPS proposal fell on deaf ears and the abduction, rape, torture & brutal murder of Dr. Sjodin was the result.

Following the homicide and the identification of Rodriguez as her killer, Defendants PAWLEY, STANEK and Fabian held a Press Conference facetting "their" new innovative idea of using GPS technology on Minnesota's level 3

Sex offenders—stealing Everstad's idea without crediting Everstad as the source of their ^{murder} sudden inspiration after Dru's preventable ~~death~~

Even more egregiously, Defendant Orpet (now Washington County Attorney) violated State law by refusing to comply with Everstad's Chapter 13/FOIA request for a copy of the Sjodin family complaint as Minnesota Department of Corrections legal Policy Coordinator to prevent Everstad from obtaining contact information of the Sjodin family attorney, Timothy Murphy who sued the State on behalf of Dru's parents Linda Walker and Allan Sjodin for wrongful death.

Everstad was seeking the complaint to get Murphy's contact info to alert him and Dru's parents to the fact that Everstad had put the State ON NOTICE 7 months before the release of Rodriguez & 10 months prior to Dru Sjodin's abduction, rape, torture and murder.

Had the Sjodin family known of this information and the State's bad faith extreme efforts to keep Minnesota's dirty little secret, (A falsely convicted "sex offender" had first proposed GPS monitoring/tracking of sex offenders 10 months before ^{the} ~~her~~ murder of their daughter/sister — NOT after her murder ^{AND NOT IMPLEMENTED}) as State officials pretended & lied, Dru Sjodin would be alive and well (today),

*
AND/ON
FEDERAL
LAW (CONT)

rather than seeking the "apology" and the pathetic
 paltry \$300,000-\$400,000 they settled for, they
 would've sought (under competent representation)
 Eunstad believes Murphy clearly failed to provide
 upwards of the \$20,000,000 Settlement attorney
 Robert Bennett secured for Justice Damond's
 family over the politically-motivated hiring of
 Jihadi-Friendly, then Minneapolis Mayor Betsy Hodges,
~~JUSTICE'S
MURDERER B.
Mohamed Noor~~
 Eunstad is aware the family at the time
 publicly stated their lawsuit wasn't about
 the monetary damages, but again, asserts
 in this lawsuit that due to State ~~officer~~
~~BAD FAITH~~ misconduct and deliberate withholding of relevant
 information as discussed ante, that it is
 highly probable that rather ^{than an} seek "apology"
 and compensation from these same State
 officials responsible for their Daughter's
 murder, Defendants Paulette, Sturek, Fabien,
~~Eunstad~~
~~includes~~
~~John Does~~
~~1-10~~
~~to await~~
~~representation~~
~~discovery~~
~~to potentially~~
~~NAME~~
~~DONNAY~~
~~other~~
~~criminals.~~
 Hatch and non-current Defendant William
 B. Donnay, they would've sought millions of dollars
 in damages (Compensatory and Punitive) which would've
 allowed them to use such funds to do something
 meaningful in their daughter's memory that would've
 impacted and helped ~~same~~ many, many lives -
 Such as massive donations to Kless Kids, the
 Patty Wetterling Foundation, Missing & Exploited Children,
 etc. Eunstad asserts here State officials intentionally
 released Rodriguez hoping he would commit

a high-profile crime in order to not only prevent what was the imminent closure-end of the Minnesota Six Offender Program, but to creatively manufacture a high-profile crime. The experts unanimously agreed Rodriguez would ~~be released~~ ^{MSOP} if released, but even more telling is the fact that Rodriguez himself told DOC psychologists, including Dr. Rita St. George and other DOC and other state officials that he should be civilly committed to the MSOP to protect the public from his insatiable and uncontrollable violent sexual fantasies that had built up over 23 years of captivity and ready to explode upon his release, which state officials gladly allowed — a BLOOD SACRIFICE FOR THEIR PRECIOUS MSOP.

* Evenstad is currently working on his first book "DRU SJODIN - THE UNTOUCHED STORY" which should be published later in 2019. In his book about Minnesota's Dirtiest Little Secret, Evenstad will detail for the reader how Dru Sjoden's murder was preventable, ~~and~~ how State Officials lied to and intentionally misled Dru's parents and family, her friends and the several public as well as the sickening truth that Rodriguez' actions were exactly what the evil, wicked, spiritaually bankrupt State

By
GOOKING
"Everlast
Ticking
Time Bombs"
you'll (see
you're
w/ FOX 9
TRUE
AGENDA
RELEASING
IT'S MOST
DANGEROUS
"Patients"
they're
"Treatment"
(MCTreatment)
Such
AS
Thomas
DUVALL

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MSOP going forward continue to this day with clear evidence.
MSOP seeks to release only their most dangerous, violent
highest risk "patients" most likely to commit sexually motivated
homicides such as THOMAS DUVALL. GOOGLE "EVENSTAD TICKING
OFFICERS named publicly in this high-profile
lawsuit wanted. Rodriguez' release and sub-
sequent actions with regard to Dr. Sjodin
EVENSTAD's was exactly the "perfect storm" the State
Intervenors hoped for and planned on - an ~~ENDS JUSTIFY
THE MEANS~~ mentality to not only prevent
Tom Lyden the imminent closure of MSOP which the
State had invested many millions of dollars
into, which provided political cover for
our States cowardly, stupid, gullible politicians
none better exemplified than by PANLENTY
("T-PAW"), STARK & HATCH, but to
of ONLY USE Dr. Sjodin's murder as the impetus
to round up hundreds, if not 1000+ men
over the next several months & years to
EXPAND the unconstitutional Preventive
Risk-Risk Detention "mCTreatment" to NOW
SERVING 750+, including many, many
level 1 (Low Risk) & level 2 (Moderate Risk)
White these idiots who run the DOC's
Completed Risk Assessment/Community Notification Unit
(RA/CN) have released hundreds of level 1,
3 (High Risk) Sex Offenders under ^{interrogated} Donnay's responsibility.
William Donnay should have been fired &
stripped of any benefits/personal etc for his
role as essentially Alfonso Rodriguez Jr.'s
accomplice and co-conspirator in the kidnapping,
rape, torture and murder of Dr. Katrina Sjodin.

This Wrongful Death lawsuit is brought due to ^{the following} FACTS

1. On January 30, 2003 Eversfield wrote a detailed 5 page letter proposal to Defendants Pewherty, Stanek, Fabian & Hatch.
2. Eversfield detailed how to close the "Deadly Gap" of dangerous, violent, repeat ^{HIGH RISK} sex offenders - Use GPS monitoring & tracking.
3. GPS monitoring/ tracking could have been provided as an alternative to Alfonso Rodriguez Jr to being cruelly committed to the MSOP, which Rodriguez was initially warning State officials he must go for Public Safety but changed his mind when informed his "Treatment" would not necessarily end ^{if} he could be at MSOP, in "Treatment" for the rest of his life, at which time Rodriguez was allowed by Defendant ~~or~~ Fabian and non-~~current~~ Defendant Ponney to be released. - Ponney Director of ^{Risk Assessment} County Nth Fiscal Unit, MN-DOL.
4. By providing Rodriguez with two options: Commitment to MSOP or VOLUNTARY AGREEMENT for GPS Monitoring/ tracking for life, the "dilemma" State officials blamed (d) for the sexually motivated homicide of Dru Sjodin is that since Rodriguez had legally expired his Criminal Sentence, he couldn't be supervised or monitored - the "Deadly Gap" would have been closed & GPS Monitoring/ tracking wouldn't have violated (SOLVED) VOLUNTARY.

Rodriguez' Constitutional Rights.

5. Had Rodriguez been offered this logical choice (seen as State Officials responsible for his release were ~~on notice~~ from Everstad 10 months before his release that 6PS monitoring/tracking would save many lives) he would not have been able to commit his crimes as ^{any retaliation} repeated trips to the East Grand Forks, ND mall to stalk/hunt for victims would've resulted in his commitment to MSOP unless of course Everstad's assertions regarding State Officials ^{intention} ~~wanting to~~ strike is accurate.

6. Everstad's proposal was not acted on by State Officials: Pawlenty created no Executive Order for Rodriguez to be offered to voluntarily agree w/ 6PS or face commitment proceedings; Donney here hrs absurd, laughable
 Refusal & Retaliation (Pawlenty)
 for Civil Commitment to MSOP
 WAS 1st responsible for Donney's failures & for Rodriguez' release; Hatch as Attorney General made no effort to get Everstad's proposal enacted in the legislature nor made any effort to give Rodriguez option to voluntarily be 6PS monitored/tracked vs committed. Following Dr. Soden's murder, Defendants Pawlenty, Stanek & Fabian held a Press Conference announcing
^{Stanek, Fabian, O'Rourke, & Hatch}

among other things, their "innovative new idea to use GPS monitoring/ tracking of Minnesota's high-risk, level 3 Sex Offenders, which wasn't their idea, but was Thomas EVERSTAD-Plaintiff's idea & public credit given to Everstad would've ^{benefitted Everstad's reputation & prospects} known ^{of the} ~~of the~~ ^{existing} prospects.

8. Everstad asserts here that the ^{knowledge of the} ~~of the~~ ^{existing} prospects of his innovative new idea to use GPS technology in this way is NEWLY DISCOVERED EVIDENCE - discovered within the past year via Google. Searching "Dru Sjodin" & "Alfonso Rodriguez" with and without "GPS" added and found to his shock and disgust news media coverage of Pawlenty, Fabian & Starek lying to the public about "their" idea re GPS, including MPR, Minneapolis Star & Tribune & St. Paul Pioneer Press articles discussing use of GPS on Sex Offenders in Minnesota only after Dru Sjodin's homicide.

9. Everstad extensively researched the issue of when any State legislature (which Everstad implored Pawlenty, Hatch, Fabian, Starek in MN & President George W. Bush & AG Ashcroft in all 50 States) to enact laws and/or Constitutional Amendments to close the "Deadly Gap" to no avail in 2003) acted on Everstad's proposal (Everstad asserts here upon information & belief he PIONEERED THE USE OF GPS Monitoring & Tracking of Sex Offenders in the United States) and discovered that not until 2004 did any State legislature enact any laws regarding - 11 - GPS Monitoring & Tracking of Sex Offenders.

10. Everstad's research online (in violation of his unconstitutional
 *Ordered by Judge George T. Stephenson's MASSEES in Minnesota confirmed his belief that not until AFTER
 Ramsey Countries A feckless, unethical Judge who has uttered

Everstad brought his innovative ideas to State and National Officials, including President George W. Bush, did any State enact such laws.

"Federal Probation" Volume 74, Number 2 - Date
 Year unknown, but with references to States as recent as "2008" states, "To date, 22 States have passed legislation requiring the use of GPS technology to track sex offenders (International Association of Chiefs of Police, "Tracking Sex Offenders with Electronic Monitoring Technology" 2008).

The National Conference of State Legislatures (June 28, 2006) states: "A number of States have statutory provisions regarding GPS tracking of sex offenders," and reveals the three (3) first States in the United States to enact such laws: Louisiana, Massachusetts & Tennessee.

11. Everstad made a Chapter 13 Data Practices Act/ FOIA request to then DOC Legal Policy Coordinator Pete Orput which was denied in violation of FATHERS' STATE LAW. Orput was required to provide

GRATES the Sjodin family Complaint/lawsuit, but See EVERSTAD V KLAUVIANS - 12 - et al for more details re this SLATE.

refused to comply with State law in order to protect/shield the State from massive monetary damages and devastating negative publicity from the media which would likely have led to Governor Pawlenty's Impeachment — removal from office, Fabian's removal as DDC Commissioner, Hatch's removal as MN AG, Donay's firing as well as Orput's firing by his superiors from providing the date Evnstad was legally entitled to obtain, ^{as well as value up} ~~Siodyn Family lawsuit by~~ ~~millions~~.

14. Evnstad's primary motivation in bringing this lawsuit is for the family members of Dr. Katrina Siodyn, her other loved ones and her many friends to know the true untold story of her preventable murder and the lengths State officials went to permanently prevent the truth from ever ~~coming~~ ^{are} to light.

15. Evnstad's secondary motivation ~~is~~ for the general public, and the millions of good people around the entire world who were heartbroken and saddened over the cruel, unfair, evil & wicked fate that befell Dr. Siodyn to know these truths which this lawsuit (and the discovery — legal "Discovery" which Evnstad will obtain via this lawsuit) and the resulting information will be made more readily available than via lawsuit w/ Evnstad's book: DRU Siodyn:

The UNTOLD STORY" and to finally hold State officials responsible for their actions and decisions which cost Dru Sjodan her life and deeply traumatized EVENSTAD, who tried valiantly, yet in vain to prevent her sexually-motivated homicide.

16. Evenstad's tertiary motivation is to obtain a measure of compensation — JUSTICE — in the only way the current United States System of Civil lawsuits provides Compensation — MONETARY DAMAGES both Compensatory Damages for Evenstad's pain, ~~and~~ suffering and trauma due to the senseless, preventable murder of Dru Sjodan. Evenstad provided the State the Blueprint to prevent — adopted by 22 states as of 2008 & 18 as of 2006.

17. Evenstad asserts he is NOT TIME-BARRED via the Statute of Limitations to any of his claims as 1) It is ~~now~~ Newly Discovered Evidence as stated ante that State officials stole his GPS idea past year and publicly represented it as their own, Urpits' and 2) the Doctrine of Continuing Injury / Harms has no Statute of Limitations and Evenstad represents here he continues to suffer trauma (PTSD), nightmares, flashbacks and anxiety —

*AS IS
Evenstad's
learning
within the

Urpat's
denial
violated Ch.
FOIA-STAT
fedLAWs

*AND
ACLOTHED
FACTS" heron
AND "CLAIMS".

panic attacks as a result of *State officials (Defendants) failure/refusal to implement Everstad's proposal which would've saved Dru Sjodin's life. Scarcely a day goes by even these nearly 16 years later when Everstad doesn't think about how Dru Sjodin's life and this world would be different - so much better and happier with ~~the~~ Dru in it, doesn't mourn her passing - always going to ~~be~~ 22 years old - and doesn't pray to GOD & Everstad's Personal LORD & SAVIOR JESUS CHRIST TO BLESS DRU AND BLESS HER PARENTS AND LOVED ONES, knowing one day they will all meet her again, as the LORD fills ~~her~~ ^{EVERSTAD HIS} in ~~my~~ ^{the} HEART ~~she~~ ^{he} will also. May GOD BLESS YOU DRU KATRINA SJODIN!

CLAIMS

1. Intentional Infliction of Emotional Harm;
2. Violation of Due Process;
3. First Amendment Retaliation ~~(BREACH)~~;
4. Violations of Equal Protection;
5. Violations of Ch. 13 Data Practices Act/FOIA;
6. Obstruction of Justice
7. ANY / ALL other CLAIMS Everstad does not state/claim here as Everstad has no formal legal training & is not an attorney.

(Preliminary) CLAIMS Con't

8. Wrongful Death: Due Katrina Sicdon; ^{Entiretime withholding of} ^{info to Linda Walker, Allen} ^{EVENSTAD} ^{Sicdon & public}
 10. FRAUD **EVENSTAD** humbly and respectfully
 requests - urges - this HONORABLE
 Court to APPOINT REPRESENTATION
 TO HIM TO BE ABLY & COMPETENTLY
 REPRESENTED IN THIS LAWSUIT AS
EVENSTAD CONCEDES & RECOGNIZES
 He is ill-equipped to enter legal
 combat without adequate training and
 Evenstad has never attended college, let
 alone LAW SCHOOL & NEEDS an attorney
 (or attorneys) to adequately litigate this
 lawsuit. To that end, Evenstad respectfully
 requests this HONORABLE COURT consider

*OR
 LOCAL ATTYS
 Mike Padden
 AND/OR
 Zorostav
 (yeduman),
 Robert Bennett
 or Dan Gustafson.
 OPPORTUNITY **EVENSTAD'S LEGAL TEAM** in
EVENSTAD v West Saint Paul, et al.
 Chicago Area Based Attorneys Mark Weisberg,
 Adele Nicholas & local Counsel Peter J. Nikitas.

NOTE: Evenstad feels reasonably competent in relating ^{Background facts &} ^{woefully incomplete} ^{facts} ^{pertains, but re: CLAIMS &} ^{DAMAGES &}
 DAMAGES DEMAND

Plaintiff Thomas Evenstad requests
 in excess of \$1,000,000 (\$1 million Dollars)
 in COMPENSATORY DAMAGES for the irreparable
 HARMs, PAIN, SUFFERING & TRAUMA these actions
 have cost him & in excess of \$4,000,000 (\$4
 million Dollars) in PUNITIVE DAMAGES. ^{10/2/19} ^{THOMAS EVENSTAD}